

REMARKS

As a preliminary matter, Applicants thank the Examiner for the acknowledgment of allowable subject matter in claim 21.

Claims 13-14 and 18-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Koike et al. (U.S. 5,781,253). With respect to claim 13, this claim has been cancelled without prejudice herein, rendering the rejection thereto now moot. With respect to claims 14, and its dependent claims 18-19, the subject matter from claim 20 has been incorporated into the body of independent claim 14, and Applicants therefore traverse the rejection at least in light of this amendment. The subject matter from claim 20 was not part of this rejection.

Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Koike. As discussed above, the subject matter from this claim has been incorporated into independent claim 14, and Applicants therefore traverse this rejection as it would apply to amended claim 14. Specifically, Applicants traverse the rejection because the cited reference does not teach or suggest that the connecting layer for the electrostatic protection element is formed of the same material as each pixel electrode in the plurality of pixels.

The Examiner correctly acknowledges that Koike does not actually teach that the connecting layer is formed of the material that forms the pixel electrodes. Instead, the Examiner merely asserts that, because Koike teaches that the connecting layer can be formed from various different metals, Koike reads upon *any* type of metal

known in the art. Whether or not this assertion is entirely correct (which Applicants do not concede), it nevertheless fails to consider all of the features that were originally recited in claim 20. Claim 20 did not merely recite the type of metal that could be used to form the connecting element. Instead, claim 20 specifically featured how the connecting element is formed of the same material as the pixel electrode. The rejection did not consider this limitation, and Koike fails to read upon at least this particular feature.

Regardless of what materials the Examiner believes Koike suggests for its connecting element, to maintain the obviousness rejection, the Examiner is still required to find where the reference teaches or suggests that the material for the wiring 48 (see Fig. 2) is the same as that used for the display electrode 24 (see Fig. 1). Koike, however, never teaches or suggests anything of the sort. Whether or not such a modification to Koike's device could be accomplished, Section 2143.01 of the MPEP forbids the possibility of making the modification from being the only basis upon which obviousness may be established. The reference must affirmatively teach or suggest the proposed modification. In the present case, however, the cited reference neither teaches nor suggests the Examiner's proposed modification, and the rejection should therefore be withdrawn.

Claim 15 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Abe et al (U.S. 5,019,001) in view of Matsumoto (U.S. 6,211,534). Applicants respectfully traverse this rejection because neither of the cited references, whether taken alone or in combination, teaches or suggests that an electrostatic protection element is the

only connection between the first and second common wirings, as in claim 15 of the present invention, as amended.

Abe shows two short circuit lines, 70 and 72, directly connected together at point A, and also through short circuit formation areas 82 and 82a. (See Fig. 8). Whether or not the Examiner considers the areas 82, 82a to be equivalent to the electrostatic protection element of the present invention, neither one of these areas could be reasonably interpreted to be the only connection between the two short circuit lines 70 and 72. Abe unmistakably shows a direct connection between the two lines 70 and 72 at point A in Fig. 8, and again in Fig. 3, but without any specific reference number or letter. Accordingly, Abe cannot read upon claim 15 of the present invention.

Matsumoto shows the same direct connection between the common lines as Abe. Fig. 1 of Matsumoto shows the common line 4 for the gate wirings 13 to be directly connected to the common line 21 for the signal lines 14. Accordingly, neither of the cited references, whether taken alone or in combination, could be reasonably interpreted to show an electrostatic protection element forming the only connection between the two common wirings. Matsumoto shows no electrostatic element at all between the two wirings, and Abe always shows at least one direct connection between the wirings, apart from the areas that the Examiner considers to electrostatic protection elements. The rejection of claim 15 is therefore respectfully traversed.

Claim 17 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomaki et al. (U.S. 6,678,017) in view of Gardner (U.S. 5,444,022). The allowable


subject matter from claim 21 has been incorporated into independent claim 17, and therefore Applicants traverse this rejection at least in light of this amendment. The Examiner has specifically acknowledged that claim 21 contained subject matter which was allowable over these two cited references.

For all of the foregoing reasons, Applicants submit that this Application, including claims 14-15, and 17-19, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & GRAIN, LTD.

By

A handwritten signature in black ink, appearing to read "Josh C. Snider", written over the printed name.

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